

34A-2-802 Rules of evidence and procedure before commission -- Admissible evidence.

- (1) The commission, the commissioner, an administrative law judge, or the Appeals Board, is not bound by the usual common law or statutory rules of evidence, or by any technical or formal rules or procedure, other than as provided in this section or as adopted by the commission pursuant to this chapter and Chapter 3, Utah Occupational Disease Act. The commission may make its investigation in such manner as in its judgment is best calculated to ascertain the substantial rights of the parties and to carry out justly the spirit of the chapter.
- (2) The commission may receive as evidence and use as proof of any fact in dispute all evidence considered material and relevant including the following:
 - (a) depositions and sworn testimony presented in open hearings;
 - (b) reports of attending or examining physicians, or of pathologists;
 - (c) reports of investigators appointed by the commission;
 - (d) reports of employers, including copies of time sheets, book accounts, or other records; or
 - (e) hospital records in the case of an injured or diseased employee.

Amended by Chapter 297, 2011 General Session